

MEETING MINUTES

AUTOMOBILE THEFT PREVENTION AUTHORITY (ATPA) GRANT HEARINGS/BOARD MEETING

August 30, 2018

Michigan State Police (MSP) Headquarters
7150 Harris Drive
Dimondale, Michigan 48821

BOARD MEMBERS PRESENT:

Col. Kriste Kibbey Etue, Chair
Chief Curtis Caid, Vice Chair
Undersheriff Michael McCabe
Ms. Lori Davis
Mr. Mike Thompson
Mr. Gene Adamczyk
Mr. Mark Wagenschutz

ATPA STAFF PRESENT:

Mr. Tim Bailor, Program Coordinator
Ms. Sandy Long, Financial Specialist
Mr. Matt Helmkamp, Intelligence Analyst

VISITORS PRESENT:

Mr. Shawn Sible, MSP, Administrative Services Bureau
Insp. Mike Johnson, MSP, Grants and Community Services Division
F/Lt. Aimee Maiké, MSP, Office of the Director
Ms. Shanon Banner, MSP, Office of the Director

1. CALL TO ORDER AND OPENING REMARKS

The meeting of the ATPA Board of Directors was called to order by Colonel Etue at 9 a.m.

2. READING OF THE ANTI TRUST STATEMENT

Colonel Etue began the meeting by reading the anti trust statement.

3. GRANT PRESENTATIONS

Grant presentations were given by the following individuals on behalf of their teams:

Sgt. Kyle McPhee, Michigan Association of Vehicle Theft Investigators
Lt. Maxwell Mims, Genesee County Sheriff's Office, Genesee Auto Theft Investigation Network
Mr. John Potbury, Genesee County Prosecutor's Office
Mr. Steve Fenner, Saginaw County Prosecutor's Office
Lt. Russ Ammon, Michigan State Police, Southwest Commercial Auto Recovery
Lt. Lawrence Duda Jr., Macomb County Sheriff's Office, Macomb Auto Theft
Ms. Irit Walters, Macomb County Prosecutor's Office
Sgt. Bob Wellman, Detroit Police Department, Preventing Auto Theft
Mr. Steve Marino, West Grand Neighborhood Association
Ms. Ramona Washington, Wayne State University

Each presenter was allotted 15 minutes to present to the board a brief overview of their auto theft efforts via a standardized PowerPoint presentation.

4. ADDITIONS TO THE AGENDA

Colonel Etue inquired if anyone had additions to the agenda; Chief Caid requested that a status update on the ATPA Executive Director be added to New Business.

Colonel Etue requested a motion to add an update to New Business. Undersheriff McCabe moved to approve the addition to the agenda as presented and Chief Caid seconded the motion. Colonel Etue called for a vote on the addition to the agenda as presented and it was unanimously approved.

5. APPROVAL OF MINUTES – March 22, 2018, and July 17, 2018, Board Meetings

Undersheriff McCabe asked that the vote on the minutes be delayed until audio recordings of the above two meetings could be reviewed.

After a short discussion, Colonel Etue requested a motion to postpone the vote on approval of the minutes of the March 22, 2018, and July 17, 2018, meetings until the next scheduled board meeting. Undersheriff McCabe moved to postpone the vote of the minutes and Chief Caid seconded the motion. Colonel Etue called for a vote which was unanimously approved.

6. ATPA BUDGET UPDATE

Ms. Long gave an update on the current ATPA Fiscal Year (FY) 2018 budget as well as the proposed ATPA FY 2019 budget. A new budget form has been designed with a clear and easy to read format. The first section will detail current fiscal year revenue and expenses, while the second half will preview projections into the next fiscal year.

The board discussed the impact of changing the funding match percentage to 60/40 to help the auto theft teams grow, as well as to spend down the current carry-forward amount.

After discussion, Colonel Etue tabled the budget discussion and offered to discuss the topic after the grant deliberations. No one opposed.

7. GRANT DELIBERATIONS

ATPA staff presented the board with a list of current grantees, which detailed past performance as well as current grant requests. The board reviewed the information and ATPA staff were able to clarify questions and requests from the board.

Board members discussed all grant applications. There were questions raised regarding a fringe benefit amount and the Flint Police Department vacancy on the GAIN auto theft team. ATPA staff will verify this issue with the grantee.

Board members would like the Saginaw and Genesee County Prosecutors to be informed of the board's expectations regarding required levels of performance. ATPA staff will plan to meet with both grantees to relay the board's expectations.

Mr. Bailor explained the ATPA received two new grant applications this year - one from MSP and one from the Warren Police Department. ATPA staff recommended the two new applications be denied as the requests are for equipment only and are not tied to an ATPA-funded auto theft team. There was concern that approval of this type of equipment application would potentially open up the ATPA to an overabundance of these types of requests.

Colonel Etue requested a motion to deny the new grant applications as presented. Mr. Wagenschutz moved to deny the two new grants as presented and Mr. Thompson seconded the motion. Colonel Etue called for a vote and the denial of the new grants was unanimously approved.

Undersheriff McCabe suggested that wording on next year's grant application and contract be changed to require attendance at the Anti Car Theft (ACT) meetings for all funded auto theft teams. Ms. Davis noted the importance of participation in these meetings and offered that if a team cannot attend, they can send an email update with current auto theft information to have shared at the meeting.

Mr. Thompson made a motion to accept the ATPA FY 2019 grant applications as presented. Mr. Adamczyk seconded the motion. Colonel Etue called for a vote and the 2019 grant awards were unanimously approved.

Undersheriff McCabe requested a motion to change the language in next year's grant application and contract to make it a requirement to participate in the ACT meetings, and that the ATPA staff meet with Saginaw and Genesee County Prosecutors regarding performance prior to next year's grant application process. Ms. Davis seconded the motions. Colonel Etue called for a vote and the aforementioned requests were unanimously approved.

Colonel Etue requested that the board return to the previously tabled budget discussion.

8. ATPA BUDGET UPDATE CONTINUED

Colonel Etue reviewed the funding options available to the board for the ATPA oversight and staffing needs. The board reviewed the three options presented to them as documented in a meeting handout. The board selected option two, including 100 percent ATPA funding for the Executive Director, Department Specialist 13, and Financial Specialist 13; 20 percent for the Department Analyst 11; and 10 percent for the Executive Secretary and the Grants and Community Services Division (GCSD) Inspector. The 10 percent ATPA funding for the GCSD Division Director was removed. Mr. Sible stated that regardless of whether the ATPA funding for the division director is removed, the position will still provide oversight of all sections within the division.

After a short discussion, Colonel Etue requested a motion to accept funding option number two with the removal of the 10 percent ATPA funding for the GCSD Division Director. Undersheriff McCabe moved to approve the ATPA staffing option as presented with the above modification and Chief Caid seconded the motion. Colonel Etue called for a vote on the ATPA staffing option as presented with the modification and it was approved four to two, with one abstention.

After a short discussion, Colonel Etue requested a motion to approve funding the ATPA Intelligence Analyst at 100 percent for FY 2019. Mr. Wagenschutz moved to approve funding the ATPA Intelligence Analyst at 100 percent. Mr. Thompson seconded the motion. Colonel Etue called for a vote to approve funding the ATPA Intelligence Analyst at 100 percent and it was unanimously approved.

During the budget options discussion, Mr. Wagenschutz stated his board has decided to look at several options regarding the HEAT program. Mr. Wagenschutz will keep the ATPA staff informed of any updates with this process.

The board discussed the different funding options and what the carry-forward would look like going into FY 2020, and whether to adjust the previously approved motion regarding the FY 2019 grant applications by providing more ATPA funding.

Chief Caid requested a motion to accept the FY 2019 grant applications as presented and include a funding match percentage of 60/40 for all law enforcement teams, while keeping the current match requirement the same for prosecutors and non-profits. Mr. Adamczyk seconded the motion. Colonel Etue called for a vote and the FY 2019 grant applications were unanimously approved with this adjustment.

After a short discussion regarding the overall ATPA budget, Colonel Etue requested a motion to approve the budget with the following modifications: 1) include a breakdown of the 60/40 match impact, 2) clarify the fringe benefit amount and vacancy of the Flint Police Department position on the GAIN auto theft team, and 3) change option two to remove funding for the division director. Mr. Adamczyk moved to approve the ATPA budget as presented and Mr. Wagenschutz seconded the motion. Colonel Etue called for a vote on the ATPA budget as presented and it was unanimously approved.

9. OLD BUSINESS

Inspector Johnson updated the members on the results of the SurveyMonkey evaluation issued from the 2018 ATPA Conference. The results from the survey showed a 4.5 out of 5 for overall satisfaction.

Inspector Johnson updated the members on changes to the ATPA Bylaws. The ATPA would like to remove Section C from Article III–Membership. The ATPA board has never granted an honorary membership.

After a short discussion, Colonel Etue requested a motion to remove Section C from Article III from the ATPA Bylaws. Mr. Thompson moved to remove Section C from Articles III-Membership as presented and Mr. Adamczyk seconded the motion. Colonel Etue called for a vote on the change to the ATPA Bylaws and it was unanimously approved.

10. NEW BUSINESS

Chief Caid requested an update on Spl/F/Lt. Scott Woodard as it relates to his duties as the ATPA Executive Director. F/Lieutenant Maiké, MSP Office of the Director, reiterated to the board that Spl/F/Lieutenant Woodard is on investigatory suspension with pay pending the outcome of criminal and internal investigations.

Undersheriff McCabe read a prepared statement with questions. Undersheriff McCabe then provided copies of his statement and questions to the board members.

Undersheriff McCabe made a motion to have Executive Director Scott Woodard immediately return to his job with full access to his office and staff. Chief Caid seconded the motion. Colonel Etue called for a vote. There were two yes votes, three no votes, and two abstentions; therefore, the motion failed.

11. PUBLIC COMMENT

No public comment.

12. NEXT MEETING

The next ATPA Board Meeting will be November 8, 2018, 1:30 p.m. at the Michigan State Police Brighton Post, 4337 Buno Road, Brighton, Michigan 48114.

13. DISCUSSION

Colonel Etue discussed transcribing the meeting minutes, which was not previously done by the ATPA. If transcription of meeting minutes is approved, the bylaws would need to be amended. Colonel Etue requested this issue to be included on the agenda at the next board meeting as new business.

14. ADJOURNMENT

Colonel Etue requested a motion to adjourn. Mr. Wagenschutz moved to adjourn and Mr. Thompson seconded the motion. Colonel Etue called for a vote. The motion was unanimously approved, and the meeting was adjourned at 2:52 p.m.

APPROVED:


Insp. Mike Johnson, ATPA Executive Director (Acting)

Undersheriff Mike McCabe Statement

I do not believe anyone who has had an opportunity to review this report would believe it to be a complete investigation into why this server charge was improperly charged to the ATPA and not removed until our ATPA Executive Director reported the situation to the members of the Executive Board.

Nor do I believe anyone who has had an opportunity to review this report would agree this is the quality of work MSP is capable of. Lieutenant Powell, in her opening remarks to the ATPA Board, stated it was not a full nor complete investigation.

The ATPA and MSP must have a healthy working relationship to meet the objectives of the Auto Theft statute. The ATPA Executive Director is the key point of contact between MSP Administration and this board. Each member of this board is entitled by law to all of the same information that is provided to our chair. No less, no more.

While there may be differences of opinion on how much authority the statute gives to MSP to oversee the Executive Director, vs. the authority of the ATPA Board, it is clear there must be trust between the two.

In November 2017, the discovery of the server charge for support services which was assessed to the ATPA budget without Board discussion or approval, is an example of the erosion of this trust. This relationship is further damaged by MSP telling the Board and the media that the budgets were presented to us and we approved them. This

was all done without underlying details.

This report entitled 'Alleged Misconduct', prepared by Lt. Powell on the allegation made by our Executive Director, is unacceptable. It is substantially incomplete and does not address the allegations in full. Our Executive Director is currently suspended. This board has a responsibility and a duty to ensure a proper conclusion as to what occurred is established and then put on the record.

As to the status of our Executive Director, he does not need police powers to perform his duties as Executive Director. Past Executive Directors have been civilians. Per the Colonel, he is under investigation for matters not connected to his ATPA duties. For this reason, I submit to the Board, there is no reason not to return him to perform the duties of the Executive Director of the ATPA which he is being paid to perform.

I, therefore, am making the following motion: "I move that Executive Director Scott Woodard immediately resume his job with full access to his office and staff."